

# Department of Development Services 1500 Marilla Street Room 5B North Dallas, TX 75201 Phone 214.670.4209 Fax 214.670.4210

## **Zoning Change Application**

	A	pplicant					Re	pres	entative			Own	er	
	Owner Tenant	□ j⊠ F	rospe	ctive Buyer							ndividual irtnership		Corporation Trust	
Name:	700000000000000000000000000000000000000	y Residential H	oldings	s, L <b>p</b>	Na	ne:	Suza	n Kedro	n/Jackson Walker, LLP	Name:	Dallas I, Ltd.			
Address:	5430 LE	3J Freeway			Add	dress:	901	Main Str	eet # 6000	Address:	4686 Br	yson Te	ī.	
City/St/Zip:	Dallas,	Texas 75240			City	//St/Zip:	Dalla	s, Texa	s 75202	City/St/Zip:	San Die	go, CA	92130-1331	
Telephone				Tel	ephone:	214-953-5943		3	Telephone:				-	
Fax:	(972) 45	5-9297			Fax		214-953-5822		2	Fax:				
E-mail:		Dairmail.net				nail:		ron@jw.		E-mail:	-			
							Uniou		<del></del>					
		see attach	ed a	authorizat	ion					see attached	d author	izatio	n	
		Signatur	e of A	Applicant						Signature o	of Owner			
Existing zon	ing: C	R & MC-1, [	)-1	Location &	cross s	treet:	9415 E	Bruton R	oad; NWC of Bruton & St. A	gustine Road.				
Mapsco	no.	59B		Request:	Re	zone pro			and MC-1 with a D-1 over		nd, termina	ation of	existing deed	
Zoning map	no.	L-11				trictions			- 1		man and and			
Council dis	trict	5												
School dis	trict	DISD			***************************************		ar	tof						
Census tract	no.	120		Lot(s)/Bloc	k(s):	1072, B	lock 673	5		***************************************	Size	of reque	st: approx. 11.	2 acr
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**EXHIBIT** 1515

3:07-CR-02:001



# nt of Development Services Harilla Street Room 58 North Dallas, TX 75201 Phone 214.670.4209 Fax 214.670.4210

## **Zoning Change Application**

	Applicant		Representative			Owner			
<u> </u>	Owner 🔲 🗵 Prospe Tenant 🗍	ective Buyer				ndividual	Corporation Trust		
Name:	Odyssey Residential Holding	gs, LLC Name:	Suzan Kedro	on/Jackson Walker, LLP	Name:	Dallas i, Ltd.			
Address:	5430 LBJ Freeway	Address:	901 Main Str	cet#6000 Address:		4686 Bryson Ter.			
City/St/Zip:	Dallas, Texas 75240	City/St/Zip	: Dallas, Texa	s 75202	City/St/Zip:	San Diego, CA 9213	30-1331		
Telephone	(972) 455-9298	Telephone			Telephone:	<del> </del>			
	<del> </del>				Fax:				
Fax:	(972) 455-9297	Fax:	214-953-582						
E-mail:	bfisher@airmail.net	E-mail:	skedron@jw	.com	E-mail:				
	see attached	authorization		S	ee attached	d authorization			
	Signature of	Applicant			Signature o	f Owner			
Existing zon	ing: CR & MC-1, D-1	Location & cross street:	9415 Bruton R	toad; NWC of Bruton & St. Aug	ustine Road.		***************************************		
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School dis	atrica DISD	410 MANUFAN MANUFANAN				<del></del>			
Census trace	t no. 120	Lot(s)/Block(s): Lot 2;	Block 6735	41		Size of request:	арргох. 11.2 в		
		Areas below to be	completed b	y staff during applica	tion intake.				
Genera	al Zoning Change*	Specific Use	Permit*	Planned Develor District		Deed Res	trictions*		
Genera	al Zoning Change*	New   Re	Permit* enewal			Deed Res	trictions*		
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#### LAND USE STATEMENT

(9415 Burton Road Northwest Corner of Bruton & St. Augustine Roads)

#### I. PURPOSE OF REQUEST:

The request is for a change of zoning from a community retail (CR) district, multiple commercial (MC-1) district, and liquor control overlay (D-1) district to a mixed use (MU-2) district. It is also requested that the existing deed restrictions (Z801-296/Z296-S) be terminated as circumstances have changed in the last 20+ years.

#### II. EXISTING LAND USES:

The site is currently vacant.

#### III. ADJOINING PROPERTY USES:

The property fronts on both Bruton and St. Augustine Roads. It wraps an existing gas station and car wash at the northwest intersection of Bruton and St. Augustine Roads.

The north of the site is bounded by a 30' concrete drainage channel (FP designation on zoning map) across which is a town home community. The east of the site is bounded by St. Augustine Road, across which is vacant land, strip retail, and a vacant gas station. Southeast of the site is the Edward Titche School. The south of the site is bounded by Bruton Road across which is Fire Station No. 5.

#### IV. PROPOSED USE OF THE REQUEST AREA:

The proposed use for the request area is for a mixed use residential office/retail project. The applicant is proposing a three story structure with flex space for ground floor retail and/or office uses. The office and/or retail space is proposed to be between 7,500 and 10,000 square feet depending on market conditions. At this time the exact ground floor uses are not quantified. It is also requested that liquor control overlay (D-1) district be removed to allow for the potential of a restaurant use on the ground floor.

COD\_DS 0000003

ATTORNEYS & COUNSELORS
901 Main Street, Suite 6000
Dallas, Texas 75202
(214) 953-6000 • fax (214) 953-5822
www.jw.com



Suzan Kedron (214) 953-5943 skedron@jw.com

October 8, 2004

Mr. David Whitley City of Dallas 1500 Marilla Street, 5BN Dallas, Texas 75201

Re:

Zoning Case No. Z034-327;

NWC Bruton and St. Augustine Roads.

Dear David:

Enclosed, please find a revised zoning application and land use statement for the above-referenced case.

Since a restaurant use is allowed with an SUP in a D-1 overlay district, the request is being revised to retain the D-1 overlay.

Should you have any questions, please don't hesitate in calling.

Very truly yours,

Suzan Kedron

cc:

Bill Fisher

Saleem Jafar

Austin Dallas Fort Worth Houston Richardson San Angelo San Antonio

COD\_DS 0000004



# Department of Development Services 1500 Marilla Street Room 58 North Dallas, TX 75201 Phone 214.670.4209 Fax 214.670.4210

### Zoning Fee/Sign Schedule

General Zoning Change	0 to 1 acre	>1 acre to 5.0 acres *	>5.0 acres to 15 acres *	>15.0 acres to 25 acres *	>25.0 acres *	
Fee	\$1,050.00	\$2,610.00	\$5,820.00	\$9,315.00	\$9,315 + \$113 for each acre over 25 to a maximum of \$37,500	
Notification area	200 ft.	300 ft.	400 ft.	400 ft.	500 ft.	

Specific Use Permit		0 to 1 acre*	>1 acre to 5.0 acres *	>5.0 acres to 25 acres *	>25.0 acres*			
New** Fee		\$1,170.00	\$1,170.00	\$1,170.00	\$1,170.00			
Notification	area	200 ft.	300 ft.	400 ft.	500 ft.			
Amendment	Fee	\$825.00	\$825.00	\$825.00	\$825.00			
Notification	area	200 ft.	300 ft.	400 ft.	500 ft.			
Renewal	Fee	\$825.00	\$825.00	\$825.00	\$825.00			
Notification	area	200 ft.	300 ft.	400 ft.	500 ft.			
Automatic Renewal Fee		\$825.00 (\$350 refundable if 51A-1.105(a)(4) criteria met)						
Notification	area	200 ft.						

<sup>\*\*</sup>The fee for an SUP for a skybridge is \$10,000. Please consuit the Dallas Development Code, 51A-4.217b(12) for requirements for a skybridge submittal.

Planned Development District	0 to 5 acres*	>5.0 acres*				
New/enlargement Fee	\$5,820.00	\$5,820 + \$113 per acre for each acre over 5 to a maximum of \$30,000				
Notification area		500 ft.				
Amendment Fee	W W 800 00	\$1,935.00				
Notification area		500 ft.				

Deed Restrictions	0 to 1 acre	>1 acre to 5.0 acres *	>5.0 acres to 15 acres *	>15.0 acres to 25 acres *	>25.0 acres *			
New	ee \$35	0.00 (\$0 if submitted	with an application	n for zoning change,	, prior to CPC)			
Notification a	rea 200 ft.	300 ft.	400 ft.	400 ft.	500 ft.			
Amendment (	ee	\$900.00 (\$0 if submitted as part of an application for zoning change)  Same as original notification						
Notification a	rea							

\*Any fraction of an acre is rounded up to the next acre.

#### **Notification Signs**

- One sign must be posted for each 5 acres of property up to a maximum of 5 signs.
- Signs cost \$10.00 each, which is due upon submission of a completed application.
- The sign(s) must be posted at least 10 days before the scheduled City Plan Commission hearing date.
- The sign(s) must be visible from all street frontages.
- Signs not properly displayed leave the City Plan Commission only two considerations:
  - 1) denial of the request or 2) postponement until the proper ten day posting is accomplished.

I have read and understand my responsibility regarding the legal posting of notification signs.

✓ Monday

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9/00/2004

Date

#034-327

Mr. David Cossum
Assistant Director
Department of Development Services
Prs-Development Division
City of Dalies
1500 Marilla Street, 5DN
Dalies, Texas 75201-4127

Ris: Request for Zoning Change to a Mixed-use (MU-2) District for Property Located at the Northwest Gorner of Bruton Road and North St. Augustine Drive; Delles, Taxas (approximately 11.2 acres).

Dear Mr. Cossum:

This letter will authorize Jackson Walker L.L.P. to pursue a request for a zoning change to a mixed-use (MU-2) district. This request is in connection with the above-referenced property and on behalf of the Owner as listed below.

Elicharday Acres heres	restro diregi: Name: Tide:	MI GE	CHAR	XI.S	Haria	VD_	 
THE STATE OF TEXAS COUNTY OF DALLAS This instrument	was acknowledged 2004 by on behalf of		me (	on the	<u>12</u>	day -	of of
	Notary	Bould	I delle	NOTARY State o	YELDELL PUBLIC Texas 11-29-20	04	

COD\_DS 0000006

2034327

Mr. David Cossum
Assistant Director
Department of Development Services
Pre-Development Division
City of Dallas
1500 Marilla Street, 5DN
Dallas, Texas 75201-4127

RE: Request for Zoning Change to a Mixed-use (MU-2) District for Property Located at the Northwest Corner of Bruton Road and North St. Augustine Drive; Dallas, Texas (approximately 11.2 acres).

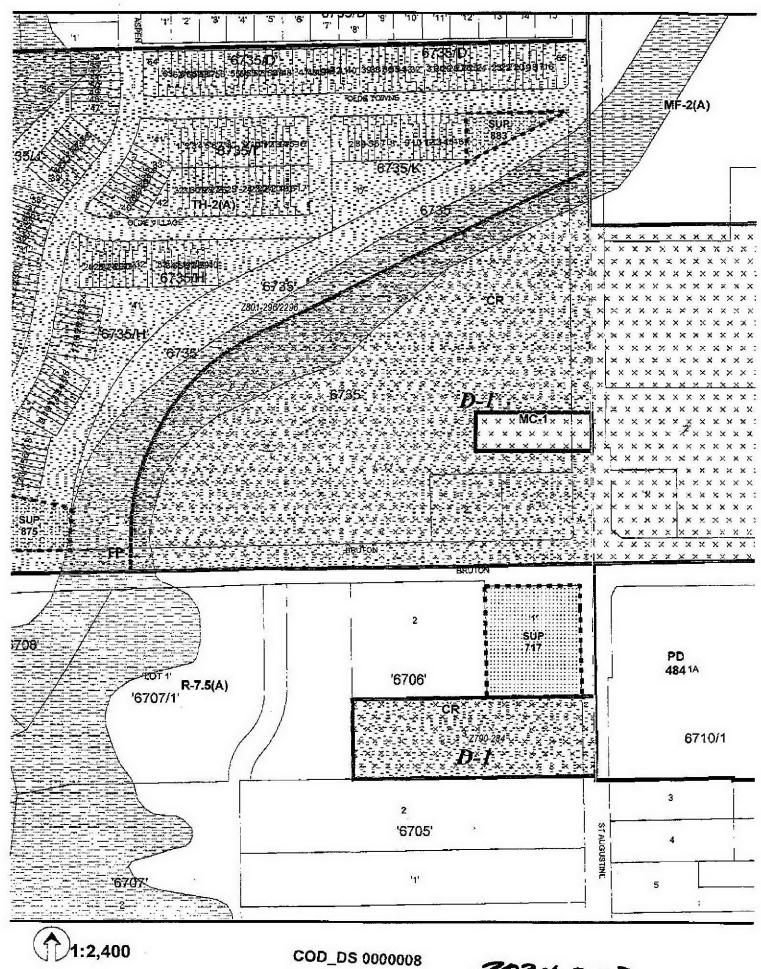
Dear Mr. Cossum:

This letter will authorize Jackson Walker L.L.P. to pursue a request for a zoning change to a mixed-use (MU-2) district. This request is in connection with the above-referenced property and on behalf of the Applicant as listed below.

scriptury parimeters of	By: Name: Title:	Men of Gin	Lefan mal Pour	the of
THE STATE OF TEXAS	9			
COUNTY OF DALLAS	9			
	by	me on th	e <u>22</u> da	of
oi	n behalf of said			as
	Breuft	1.0000		
BRENT YELDELL		- State of Tex	<b>(8</b> 8	. <u>.</u>
NOTARY PUBLIC State of Texas				

3696879v1 999955/09711

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SERIES a tract of land in the Thomas M. Johnson Survey, Abstract No. 695 in the City of Belles. Delias County, Texas, City Black 8736, and being described as follows: BERINING at an tran rod for corner in the Nest line of St. Augustine Meed, said point being North 80 degrees 82 minutes 30 seconds East 145.0 feet from the Northerly cut beck clip of the intersection of the Nest line of said St. Augustine Read with the North line of Gruton Read;
THENCE South 89 degrees 48 minutes 30 seconds Nest a distance of 306.0 feet to an iron rod, for corner;
THENCE South 89 degrees 88 minutes 30 seconds Nest with the North line of said Bruton Read;
THENCE South 89 degrees 48 minutes 30 seconds Nest with the North line of said Bruton Read a distance of 708.77 feet to an iron rod for corner;
THENCE North 80 degrees 99 minutes 30 seconds East a distance of 37.54 feet to an iron red for corner;
THENCE to a Northeesterly direction with a curve to the right having a radius of 486.0 feet a central angle of 84 degrees 80 minutes 80 seconds, a distance of 641.76 feet to an iron red for corner;
THENCE North 64 degrees 99 minutes 30 seconds East a distance of 763.49 feet to an iron red for currer in the Meet line of St. Augustine Road;
THENCE North 64 degrees 99 minutes 30 seconds Nest a distance of 652.29 feet to the PHACE OF SEGURISHE, and containing 487,848.95 square feet or 11.199 acres of land mare or less.

COD DS 0000009

COD\_DS 0000010 27.

z,Ejjna